

**OFFICIAL JOURNAL  
OF THE  
SENATE  
OF THE  
STATE OF LOUISIANA**

**TWENTY-SECOND DAY'S PROCEEDINGS**

**Thirty-First Regular Session of the Legislature  
Under the Adoption of the  
Constitution of 1974**

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, June 1, 2005

The Senate was called to order at 3:30 o'clock P.M., by Hon. Donald E. Hines, President of the Senate.

**ROLL CALL**

The roll being called, the following members answered to their names:

**PRESENT**

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 36		

**ABSENT**

Hollis  
Total - 1

The President of the Senate announced there were 36 Senators present and a quorum.

**Prayer**

The prayer was offered by Pastor Tommy French, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator Dardenne, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Petitions, Memorials and  
Communications**

The following petitions, memorials and communications were received and read:

**TREASURER OF THE STATE OF LOUISIANA**

June 1, 2005

The Honorable Donald E. Hines, M.D.

President of the Senate  
P.O. Box 94183  
Baton Rouge, LA 70804-9183

Dear President Hines:

The purpose of this letter is to request Senate confirmation for a new appointee in the Department of Treasury.

In that regard, I hereby acknowledge the following appointment to the Department of Treasury and submit to you the name for consideration of Senate confirmation as required by law.

Whitman J. Kling    State Bond Commission Director/Assistant  
State Treasurer

Thank you in advance for your attention to this important matter and please contact me should you have any questions or need additional information.

Sincerely,  
JOHN KENNEDY  
State Treasurer

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

May 31, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 79—**

BY SENATOR DUPRE

**A CONCURRENT RESOLUTION**

To urge and request the United States Department of Veterans Affairs to reopen enrollment at the new Veterans Affairs Community Based Outpatient Clinic.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 80—**

BY SENATORS THEUNISSEN AND ULLO AND REPRESENTATIVE RITCHIE

**A CONCURRENT RESOLUTION**

To designate September as "Civic Literacy and Engagement Month" in Louisiana.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER  
Clerk of the House of Representatives

**Privilege Report of the  
Legislative Bureau**

June 1, 2005

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

# Page 2 SENATE

June 1, 2005

## 22nd DAY'S PROCEEDINGS

### HOUSE BILL NO. 59—

BY REPRESENTATIVE E. GUILLORY  
AN ACT

To amend and reenact R.S. 37:367, relative to issuance of certain certificates of registration; to prohibit the listing of complete social security numbers on the certificates of registration for barbers and instructors; and to provide for related matters.

Reported without amendments.

### HOUSE BILL NO. 100—

BY REPRESENTATIVE FANNIN  
AN ACT

To authorize and provide for the transfer of certain state property in Jackson Parish from the Department of Transportation and Development to the town of Chatham; and to provide for related matters.

Reported without amendments.

### HOUSE BILL NO. 241—

BY REPRESENTATIVE DOWNS  
AN ACT

To amend and reenact R.S. 33:4574(B)(18) and 4574.1.1(A)(18), relative to Lincoln Parish; to change the name of the parish tourist commission; to authorize the parish tourist commission to increase the hotel occupancy tax; and to provide for related matters.

Reported without amendments.

### HOUSE BILL NO. 249—

BY REPRESENTATIVE FRITH  
AN ACT

To enact R.S. 33:1236.27, relative to solid and liquid waste in Cameron Parish; to authorize the parish governing authority to provide for zoning and land use regarding facilities for disposal, incineration, or storage of solid or liquid waste in the parish; to provide that the types and quantities of waste to be disposed of, incinerated, or stored at such a facility be in accordance with any permit granted by the Department of Environmental Quality or the office of conservation of the Department of Natural Resources; and to provide for related matters.

Reported without amendments.

### HOUSE BILL NO. 253—

BY REPRESENTATIVES BURNS AND SCHNEIDER  
AN ACT

To enact R.S. 33:4712.13, relative to naming a park; to authorize the Mandeville City Council to name the park behind Mandeville City Hall in honor of Paul D. Cordes; and to provide for related matters.

Reported without amendments.

### HOUSE BILL NO. 279—

BY REPRESENTATIVE BAYLOR  
AN ACT

To repeal R.S. 32:143.2(C), relative to unauthorized use of private driveways, highways, and public rights-of-way; to repeal the termination date of provisions relative to blocking private driveways, highways, and public rights-of-way.

Reported without amendments.

### HOUSE BILL NO. 302—

BY REPRESENTATIVE WOOTON  
AN ACT

To authorize and provide for the transfer of certain state property in Plaquemines Parish to the Plaquemines Parish governing authority; and to provide for related matters.

Reported without amendments.

### HOUSE BILL NO. 331—

BY REPRESENTATIVES HILL AND FRITH  
AN ACT

To amend and reenact R.S. 56:266(C), relative to the Louisiana Fur and Alligator Advisory Council; to provide relative to council membership; and to provide for related matters.

Reported without amendments.

### HOUSE BILL NO. 344—

BY REPRESENTATIVE MCVEA  
AN ACT

To authorize and provide for the exchange and transfer between the state, the parish, and certain other property owners of specified properties located in West Feliciana Parish; and to provide for related matters.

Reported without amendments.

### HOUSE BILL NO. 369—

BY REPRESENTATIVES DURAND, SALTER, ALARIO, DORSEY, AND HAMMETT AND SENATORS HINES, BAJOE, HEITMEIER, AND MOUNT  
AN ACT

To amend and reenact R.S. 46:153.3(C), relative to the medical assistance program; to remove certain drugs from the exemptions to the preferred drug list with prior approval; and to provide for related matters.

Reported without amendments.

### HOUSE BILL NO. 398—

BY REPRESENTATIVE HILL  
AN ACT

To amend and reenact R.S. 33:175, relative to extension of the corporate limits of a municipality by means of an ordinance; to provide with respect to the period of time after which an ordinance enlarging the boundaries of a municipality is operative and cannot be contested; and to provide for related matters.

Reported without amendments.

### HOUSE BILL NO. 443—

BY REPRESENTATIVES CURTIS AND HUNTER  
AN ACT

To enact R.S. 23:1539.1, relative to unemployment insurance; to provide for authority to prohibit employing units from avoiding the payment of state unemployment taxes, commonly referred to as "SUTA Dumping"; to provide meaningful penalties for avoiding the payment of state unemployment taxes; to provide for rules; and to provide for related matters.

Reported without amendments.

### HOUSE BILL NO. 448—

BY REPRESENTATIVES HOPKINS AND SALTER  
AN ACT

To amend and reenact R.S. 40:1149, relative to certified operators of water systems; to exempt certain systems from operation and on-site premises requirements; and to provide for related matters.

Reported without amendments.

### HOUSE BILL NO. 464—

BY REPRESENTATIVE BALDONE  
AN ACT

To amend and reenact R.S. 32:361.2(A)(2)(d) and to enact R.S. 15:587(A)(1)(d), relative to motor vehicle safety equipment; to provide relative to medical exemptions to window tinting regulations; to require applicants for such exemptions to consent to the release of criminal history records and identification files under certain circumstances; to require the release of such information to law enforcement agents under certain circumstances; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 475—**

BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 56:495.1(A)(2), relative to the inshore shrimp line; to provide updated coordinates for the shrimp trawling line in Breton and Chandeleur Sounds; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 482—**

BY REPRESENTATIVES CURTIS AND HUNTER  
AN ACT

To amend and reenact R.S. 23:1474(B), (C), (D), (F)(1), (G)(3), and (I), 1535, 1536(D)(3), and 1553(B)(6), (7)(b), (8), (9)(b), (10), and (11)(b), relative to unemployment compensation; to provide for fluctuation of the benefit amount based upon the applied balance of the state unemployment trust fund; to provide for fluctuation of wages upon which contributions are paid based upon the applied balance of the state unemployment trust fund; to provide for the tax rate table; to provide for an appropriation for customized training and administrative costs in the social charge recoupment account based in the applied balance of the state unemployment trust fund; to delete the provision relative to the new employer tax rate table; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 494—**

BY REPRESENTATIVE ST. GERMAIN  
AN ACT

To amend and reenact R.S. 56:320(A)(1), relative to use of certain recreational fishing gear; to clarify areas of the state where wire nets and hoop nets may be used for recreational fishing; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 512—**

BY REPRESENTATIVE E. GUILLORY  
AN ACT

To amend and reenact R.S. 27:93(A)(1) and 391(C) and to enact R.S. 27:93(A)(9) and R.S. 33:9575, to provide with respect to the creation of the Calcasieu Parish Gaming Revenue District; to provide for the boundaries of the district; to provide for the powers and duties of the district, including the power to tax; to provide relative to the levying of admission fees; to authorize the district to levy a fee based on monthly net gaming proceeds of riverboats in lieu of admission fees; to provide for the allocation of funds derived from fees levied by the district; to provide for cooperative endeavor or local services agreements; to provide for legislative intent; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 558—**

BY REPRESENTATIVE LABRUZZO  
AN ACT

To amend and reenact R.S. 37:1226.2(A)(introductory paragraph) and (2), (B)(introductory paragraph) and (1), (2), (3), (6), (7), and (8), and (D)(1) and to enact R.S. 37:1226.2(F) and (G), relative to prescription drug returns, exchanges, and redispensing; to allow penal institutions to receive donated medications for redispensing to individuals in its facility; to provide for exemptions; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 569—**

BY REPRESENTATIVE BAUDOUIN  
AN ACT

To enact R.S. 47:463.129, relative to motor vehicle prestige license plates; to provide for the creation of a Ladies Auxiliary, V. F. W. prestige license plate; to provide for the issuance of such plate; to provide relative to the fees for such plate; to provide for use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 595—**

BY REPRESENTATIVE SALTER  
AN ACT

To enact R.S. 38:2325(A)(16), relative to the Sabine River Authority; to clarify the powers of the Sabine River Authority to enter into certain contracts and agreements; to provide for an effective date; to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 653—**

BY REPRESENTATIVE ERDEY  
AN ACT

To enact R.S. 22:1193(L), relative to continuing education for licensed insurance producers; to provide for title insurance agents; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 777—**

BY REPRESENTATIVE CAZAYOUX  
AN ACT

To enact R.S. 17:7(13), relative to the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to provide relative to the development of certain curricular elements; to provide relative to inclusion of certain topics; to require the inclusion of the topic of adoption awareness in certain course material; to provide for definitions; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**Senate Bills and Joint Resolutions  
on Second Reading**

The following Senate Bills and Joint Resolutions were taken up and acted upon as follows:

**SENATE BILL NO. 355— (Substitute of Senate Bill No. 234 by Senator Ullo)**

BY SENATOR ULLO  
AN ACT

To enact R.S. 17:3048.5, relative to the Louisiana Tuition Opportunity Program for Students; to provide for a TOPS-Tech Early Start Award; to provide for eligibility and continuation requirements for such award; to provide for the administration and implementation of such award program; to provide for recommendations relative to TOPS-Tech; and to provide for related matters.

On motion of Senator Ullo, the bill was read by title and ordered engrossed and passed to a third reading.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House****ASKING CONCURRENCE IN  
HOUSE BILLS AND JOINT RESOLUTIONS**

June 1, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

**HOUSE BILL NO. 822—**BY REPRESENTATIVES SHEPHERD AND ALARIO  
AN ACT

To amend and reenact R.S. 27:93(A)(4), relative to the allocation of riverboat boarding fees; to provide for the allocation of riverboat boarding fees in Jefferson Parish; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 428—**BY REPRESENTATIVES PIERRE AND THOMPSON  
AN ACT

To enact Chapter 14-A of Title 41 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 41:1731 through 1734, relative to the development of renewable energy sources; to authorize the Department of Natural Resources to lease state lands for the exploration, development, and production of energy from wind; to provide a process for leasing state lands for the exploration, development, and production of energy from wind; to provide for the powers and duties of the secretary of the Department of Natural Resources; to provide for the powers and duties of the State Mineral Board; to authorize the implementation of fees; to provide for the promulgation of rules and regulations; and to provide for related matters.

**HOUSE BILL NO. 336—**BY REPRESENTATIVE WADDELL  
AN ACT

To amend and reenact R.S. 18:18(A)(8)(a), 531.1(A)(2) and (C), 551(A), 553(E)(1), 1302(4), (5), (6), and (7), 1303(A), (B)(4) and (5), (D), and (E), 1305, 1306(A)(1), (B), (C)(1), (D), (E)(1)(introductory paragraph) and (2), (F), and (G)(1)(introductory paragraph), (a), and (f), and (2), 1307(A)(2), 1309(A)(2), (D)(1), and (G), 1311(A), (B), (C)(1), (D)(1), and (4)(a), 1312(B), 1313(F)(introductory paragraph), (1), (2), (4), (5), (6), (7), (9), and (10), (H), and (I)(3), 1315(A)(1) and (3), (B), and (C), 1317, 1331, 1332(A), 1333(B), (G)(6)(b), and (H), and 1353(C)(2) and (3)(b), to enact R.S. 18:1302(8), and to repeal R.S. 18:1304 and 1306(E)(1)(h), (G)(1)(g), and (H), relative to voting prior to election day; to remove certain requirements for absentee in person voting; to provide with regard to conducting absentee in person voting; to repeal special provisions for disabled voters to vote absentee in person; to redesignate and direct the Louisiana State Law Institute to further redesignate the terms "absentee in person" and "absentee" as they relate to absentee in person voting as "early voting"; and to provide for related matters.

**HOUSE BILL NO. 581—**BY REPRESENTATIVE TRAHAN  
AN ACT

To amend and reenact R.S. 44:4.1(B)(7) and to enact R.S. 15:477.2, relative to privileged communications; to provide for privileged communications for state governmental agencies by persons reporting alleged fraud, abuse, or wrongdoing; to provide for an exception regarding public records disclosure; to provide for definitions; and to provide for related matters.

**HOUSE BILL NO. 319—**BY REPRESENTATIVE MORRIS  
AN ACT

To amend and reenact R.S. 22:1430.12(A) and to enact R.S. 22:1430.7(B)(3), relative to the calculation of rates by the Louisiana Citizens Property Insurance Corporation; to provide for the formulation of rates; to provide for amending the plan of operation; and to provide for related matters.

**HOUSE BILL NO. 290—**BY REPRESENTATIVE TOWNSEND  
AN ACT

To amend and reenact R.S. 22:250.52(5), 250.54(A), and 250.60(A)(2) and (B)(2), relative to health insurance; to provide with respect to prompt payment of electronic pharmacy claims; to provide for applicability to the Office of Group Benefits and pharmacy contracts; and to provide for related matters.

**HOUSE BILL NO. 88—**BY REPRESENTATIVES JANE SMITH, BRUCE, BURRELL, CAZAYOUX, CRAVINS, HEATON, LAFLEUR, MORRELL, WHITE, WOOTON, AND SCALISE  
AN ACT

To enact Chapter 6-B of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:641 through 647, relative to offenses against peace officers; to require registration of certain offenders who commit violent crimes against peace officers; to provide for definitions; to provide for the creation of a central registry; to provide for the transmission of registry information to the Louisiana Bureau of Criminal Identification and Information; to provide with respect to limitations of liability; to provide with respect to the failure to register; to provide for criminal penalties; and to provide for related matters.

**HOUSE BILL NO. 330—**BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 15:529.1(B), relative to habitual offenders; to provide that multiple convictions which become final on the same day are considered to be one conviction for the purposes of the habitual offender law; and to provide for related matters.

**HOUSE BILL NO. 451—**BY REPRESENTATIVES GEYMAN AND DORSEY  
AN ACT

To enact Code of Criminal Procedure Article 330.2, relative to bail; to provide for the contradictory hearings prior to granting bail for certain sex offenders; to provide for definitions; to provide for the forms of bail for certain sex offenses; to provide for exceptions; and to provide for related matters.

**HOUSE BILL NO. 115—**BY REPRESENTATIVE GALLOT  
AN ACT

To amend and reenact Code of Civil Procedure Article 251(A) and R.S. 44:32(C)(1)(c), relative to public records; to prohibit the use of privately owned copying, reproducing, scanning, or other such imaging equipment in the copying of public records within the offices of the clerk of court; and to provide for related matters.

**HOUSE BILL NO. 158—**BY REPRESENTATIVE MARCHAND  
AN ACT

To amend and reenact R.S. 17:226, relative to exemptions from compulsory school attendance; to authorize nurse practitioners licensed to practice in Louisiana to substantiate certain illnesses permitting a child to be excused temporarily from attending school; to remove exemptions based on the location of a child's residence and certain other transportation factors; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 178—**

BY REPRESENTATIVES HUTTER, BARROW, AND BAUDOUIN AND  
SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 17:15(A)(1) and (2)(a)(introductory paragraph), (i), and (ii) and (b), (B), and (D), relative to criminal history review; to prohibit public school boards and nonpublic schools and school systems from hiring specified persons who have been convicted of or pled nolo contendere to certain crimes, except under certain circumstances; to provide relative to procedures established by city, parish, and other local public school boards to determine whether such persons have been convicted of certain crimes; and to provide for related matters.

**HOUSE BILL NO. 184—**

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 41:727, relative to the transfer of certain sixteenth section land by the Vermilion Parish School Board; to specify the property to be transferred and the persons to whom it shall be transferred; and to provide for related matters.

**HOUSE BILL NO. 197—**

BY REPRESENTATIVE DOVE

AN ACT

To enact R.S. 49:214.9 and 214.10, relative to coastal preservation and restoration; to establish a program for stabilization and restoration of coastal passes; to create the Coastal Passes Stabilization and Restoration Fund as a special fund in the state treasury; to provide for the deposit, use, and investment of monies in the fund; and to provide for related matters.

**HOUSE BILL NO. 204—**

BY REPRESENTATIVE CAZAYOUX

AN ACT

To amend and reenact R.S. 56:2011(C), relative to payment of royalties for dredging state water bottoms; to exempt from the payment of such royalties the dredging of False River for certain purposes; and to provide for related matters.

**HOUSE BILL NO. 293—**

BY REPRESENTATIVES TUCKER AND WALKER

AN ACT

To enact Part VIII of Chapter 1 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:31.61 through 31.68, relative to the creation of the Parkinson's Disease Registry; to provide for a program of epidemiological assessments of the incidence of Parkinson's disease and establishment of a system for the collection of information determining the incidence of Parkinson's disease; to provide for the duties and responsibilities of the office of public health, a public health unit, or their agents; to provide for funding; and to provide for related matters.

**HOUSE BILL NO. 314—**

BY REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 17:85.11, relative to naming a Reserve Officers' Training Corps building; to authorize the Ouachita Parish School Board to name the Reserve Officers' Training Corps building at West Monroe High School in honor of James Donald Halsell, Jr.; and to provide for related matters.

**HOUSE BILL NO. 374—**

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 42:1121(H), relative to Code of Governmental Ethics; to provide an exception to the post-service restrictions to allow certain employment by the board of commissioners of DeSoto Parish Waterworks District No. 1; and to provide for related matters.

**HOUSE BILL NO. 377—**

BY REPRESENTATIVE DOWNS

AN ACT

To enact R.S. 33:2737.78, to authorize the Union Parish School Board to levy and collect an additional sales and use tax; to provide for the use of tax proceeds; to provide for voter approval; and to provide for related matters.

**HOUSE BILL NO. 385—**

BY REPRESENTATIVE WOOTON

AN ACT

To enact R.S. 56:304(F), relative to licensing of commercial fishing vessels; to provide for certain eligibility restrictions for vessel licensing; and to provide for related matters.

**HOUSE BILL NO. 397—**

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 56:322(C)(7), relative to unattended fishing nets; to remove the requirement for destruction of unattended nets; and to provide for related matters.

**HOUSE BILL NO. 477—**

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 56:722, relative to game and fish commissions; to provide that such commissions shall not have authority over certain vessels; and to provide for related matters.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**House Bills and Joint Resolutions  
on First Reading**

The following House Bills and Joint Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**HOUSE BILL NO. 88—**

BY REPRESENTATIVES JANE SMITH, BRUCE, BURRELL, CAZAYOUX, CRAVINS, HEATON, LAFLEUR, MORRELL, WHITE, WOOTON, AND SCALISE

AN ACT

To enact Chapter 6-B of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:641 through 647, relative to offenses against peace officers; to require registration of certain offenders who commit violent crimes against peace officers; to provide for definitions; to provide for the creation of a central registry; to provide for the transmission of registry information to the Louisiana Bureau of Criminal Identification and Information; to provide with respect to limitations of liability; to provide with respect to the failure to register; to provide for criminal penalties; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 115—**

BY REPRESENTATIVE GALLOT

AN ACT

To amend and reenact Code of Civil Procedure Article 251(A) and R.S. 44:32(C)(1)(c), relative to public records; to prohibit the use of privately owned copying, reproducing, scanning, or other such imaging equipment in the copying of public records within the offices of the clerk of court; and to provide for related matters.

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**HOUSE BILL NO. 178—**BY REPRESENTATIVES HUTTER, BARROW, AND BAUDOIN AND  
SENATOR DUPLESSIS

AN ACT

To amend and reenact R.S. 17:15(A)(1) and (2)(a)(introductory paragraph), (i), and (ii) and (b), (B), and (D), relative to criminal history review; to prohibit public school boards and nonpublic schools and school systems from hiring specified persons who have been convicted of or pled nolo contendere to certain crimes, except under certain circumstances; to provide relative to procedures established by city, parish, and other local public school boards to determine whether such persons have been convicted of certain crimes; and to provide for related matters.

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BY REPRESENTATIVE WALSWORTH

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AN ACT

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The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 330—**

BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 15:529.1(B), relative to habitual offenders; to provide that multiple convictions which become final on the same day are considered to be one conviction for the purposes of the habitual offender law; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 336—**

BY REPRESENTATIVE WADDELL

AN ACT

To amend and reenact R.S. 18:18(A)(8)(a), 531.1(A)(2) and (C), 551(A), 553(E)(1), 1302(4), (5), (6), and (7), 1303(A), (B)(4) and (5), (D), and (E), 1305, 1306(A)(1), (B), (C)(1), (D), (E)(1)(introductory paragraph) and (2), (F), and (G)(1)(introductory paragraph), (a), and (f), and (2), 1307(A)(2), 1309(A)(2), (D)(1), and (G), 1311(A), (B), (C)(1), (D)(1), and (4)(a), 1312(B), 1313(F)(introductory paragraph), (1), (2), (4), (5), (6), (7), (9), and (10), (H), and (I)(3), 1315(A)(1) and (3), (B), and (C), 1317, 1331, 1332(A), 1333(B), (G)(6)(b), and (H), and 1353(C)(2) and (3)(b), to enact R.S. 18:1302(8), and to repeal R.S. 18:1304 and 1306(E)(1)(h), (G)(1)(g), and (H), relative to voting prior to election day; to remove certain requirements for absentee in person voting; to provide with regard to conducting absentee in person voting; to repeal special provisions for disabled voters to vote absentee in person; to redesignate and direct the Louisiana State Law Institute to further redesignate the terms "absentee in person" and "absentee" as they relate to absentee in person voting as "early voting"; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 374—**

BY REPRESENTATIVE BRUCE

AN ACT

To enact R.S. 42:1121(H), relative to Code of Governmental Ethics; to provide an exception to the post-service restrictions to allow certain employment by the board of commissioners of DeSoto Parish Waterworks District No. 1; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 377—**

BY REPRESENTATIVE DOWNS

AN ACT

To enact R.S. 33:2737.78, to authorize the Union Parish School Board to levy and collect an additional sales and use tax; to provide for the use of tax proceeds; to provide for voter approval; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 385—**

BY REPRESENTATIVE WOOTON

AN ACT

To enact R.S. 56:304(F), relative to licensing of commercial fishing vessels; to provide for certain eligibility restrictions for vessel licensing; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 397—**

BY REPRESENTATIVE BALDONE

AN ACT

To amend and reenact R.S. 56:322(C)(7), relative to unattended fishing nets; to remove the requirement for destruction of unattended nets; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 428—**

BY REPRESENTATIVES PIERRE AND THOMPSON

AN ACT

To enact Chapter 14-A of Title 41 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 41:1731 through 1734, relative to the development of renewable energy sources; to authorize the Department of Natural Resources to lease state lands for the exploration, development, and production of energy from wind; to provide a process for leasing state lands for the exploration, development, and production of energy from wind; to provide for the powers and duties of the secretary of the Department of Natural Resources; to provide for the powers and duties of the State Mineral Board; to authorize the implementation of fees; to provide for the promulgation of rules and regulations; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 451—**

BY REPRESENTATIVES GEYMANN AND DORSEY

AN ACT

To enact Code of Criminal Procedure Article 330.2, relative to bail; to provide for the contradictory hearings prior to granting bail for certain sex offenders; to provide for definitions; to provide for the forms of bail for certain sex offenses; to provide for exceptions; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 477—**

BY REPRESENTATIVE DOVE

AN ACT

To amend and reenact R.S. 56:722, relative to game and fish commissions; to provide that such commissions shall not have authority over certain vessels; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 581—**

BY REPRESENTATIVE TRAHAN

AN ACT

To amend and reenact R.S. 44:4.1(B)(7) and to enact R.S. 15:477.2, relative to privileged communications; to provide for privileged communications for state governmental agencies by persons reporting alleged fraud, abuse, or wrongdoing; to provide for an exception regarding public records disclosure; to provide for definitions; and to provide for related matters.

The bill was read by title; lies over under the rules.

**HOUSE BILL NO. 822—**

BY REPRESENTATIVES SHEPHERD AND ALARIO

AN ACT

To amend and reenact R.S. 27:93(A)(4), relative to the allocation of riverboat boarding fees; to provide for the allocation of riverboat boarding fees in Jefferson Parish; to provide for an effective date; and to provide for related matters.

The bill was read by title; lies over under the rules.

**Messages from the House**

The following Messages from the House were received and read as follows:

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

June 1, 2005

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 1—**

BY REPRESENTATIVE FARRAR

A CONCURRENT RESOLUTION

To amend the Department of Health and Hospitals, office of public health, rules on installer/maintenance provider qualifications and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

**HOUSE CONCURRENT RESOLUTION NO. 98—**

BY REPRESENTATIVE BADON

A CONCURRENT RESOLUTION

To request the Louisiana Board of Pharmacy to study the feasibility and effectiveness of implementing a prescription monitoring program for controlled dangerous substances and to report its findings to the speaker of the House of Representatives and the president of the Senate no later than February 1, 2006, and to create the Prescription Monitoring Program Task Force to assist in this study.

**HOUSE CONCURRENT RESOLUTION NO. 79—**

BY REPRESENTATIVE BRUCE

A CONCURRENT RESOLUTION

To request the Louisiana Commission on Law Enforcement and Administration of Criminal Justice to study whether juvenile correctional officers should be included in the definition of a peace officer for purposes of the Peace Officers Standards and Training Law and to report its findings to the speaker of the House of Representatives and the president of the Senate no later than February 1, 2006, and to create the Juvenile Correctional Officers Task Force to assist in this study.

**HOUSE CONCURRENT RESOLUTION NO. 82—**

BY REPRESENTATIVE GRAY

**A CONCURRENT RESOLUTION**

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the current laws and regulations governing children in foster care in the state, to study the laws, regulations, and procedures which govern social workers charged with monitoring children in foster care, and to make recommendations for changes in the laws, rules, and procedures governing children in foster care in Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 83—**

BY REPRESENTATIVE STRAIN

**A CONCURRENT RESOLUTION**

To direct the Louisiana State Board of Dentistry to formulate proposed legislation providing for a volunteer license, which would allow retired dentists to practice at nonprofit health care facilities for no remuneration.

**HOUSE CONCURRENT RESOLUTION NO. 85—**

BY REPRESENTATIVES JACK SMITH AND ST. GERMAIN

**A CONCURRENT RESOLUTION**

To establish, in the Department of Wildlife and Fisheries, the Wild-Caught Crawfish Task Force and to provide for its membership and responsibilities.

**HOUSE CONCURRENT RESOLUTION NO. 149—**

BY REPRESENTATIVE QUEZAIRE

**A CONCURRENT RESOLUTION**

To commend Ms. Elinor Craven upon the occasion of her retirement after twenty-nine years of service to the people of Louisiana in the Office of State Parks, Department of Culture, Recreation and Tourism.

**HOUSE CONCURRENT RESOLUTION NO. 150—**

BY REPRESENTATIVE BURRELL

**A CONCURRENT RESOLUTION**

To commend Albert Jojuan "Joey" Belle, a native Louisianian and outstanding baseball player, on being inducted into the Louisiana Sports Hall of Fame.

**HOUSE CONCURRENT RESOLUTION NO. 151—**

BY REPRESENTATIVE MORRELL

**A CONCURRENT RESOLUTION**

To urge and request the New Orleans City Council to establish and enforce a moratorium on the construction or establishment of new hotels and motels and on the expansion of existing hotels and motels in the Downtown Development District and in the French Quarter of New Orleans.

**HOUSE CONCURRENT RESOLUTION NO. 96—**

BY REPRESENTATIVES DOERGE AND WALKER

**A CONCURRENT RESOLUTION**

To direct the Louisiana Department of Social Services, bureau of licensing, to promulgate rules and regulations to provide for the licensing of after-school enrichment programs, pursuant to Chapter 14 of Title 46 of the Louisiana Revised Statutes of 1950.

**HOUSE CONCURRENT RESOLUTION NO. 100—**

BY REPRESENTATIVE BALDONE

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Waterfowl Study Commission to study the possibility of permitting the taking of pen-raised mallards south of Interstate Highway 10 and Interstate Highway 12.

**HOUSE CONCURRENT RESOLUTION NO. 101—**

BY REPRESENTATIVES THOMPSON AND BALDONE

**A CONCURRENT RESOLUTION**

To authorize and request the Department of Wildlife and Fisheries to sponsor a pilot program to study the breeding and release of waterfowl in Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 105—**

BY REPRESENTATIVE WINSTON

**A CONCURRENT RESOLUTION**

To continue and provide with respect to the Task Force on Legal Representation in Child Protection Cases created in the 2003 Regular Session pursuant to House Concurrent Resolution No. 44 and continued in the 2004 Regular Session pursuant to House Concurrent Resolution No. 59.

**HOUSE CONCURRENT RESOLUTION NO. 118—**

BY REPRESENTATIVE CROWE

**A CONCURRENT RESOLUTION**

To urge and request the clerks of court and recorders of mortgages to employ computer software to redact the first five digits of social security numbers appearing on any recorded document which is to be made available to the public over the Internet.

**HOUSE CONCURRENT RESOLUTION NO. 121—**

BY REPRESENTATIVE FRITH

**A CONCURRENT RESOLUTION**

To create and provide for the Cameron Parish Economic Development Task Force for the purpose of studying and making recommendations relative to economic development in Cameron Parish.

**HOUSE CONCURRENT RESOLUTION NO. 152—**

BY REPRESENTATIVE MARCHAND

**A CONCURRENT RESOLUTION**

To commend and recognize Alpha Kappa Alpha Sorority, Incorporated as a gallant leader in anti-hazing efforts and to commend the organization for its vigorous position and concern for college and high school students affected by hazing.

**HOUSE CONCURRENT RESOLUTION NO. 153—**

BY REPRESENTATIVE TOOMY AND SENATOR HEITMEIER

**A CONCURRENT RESOLUTION**

To commend B.H. Miller, Jr. upon his retirement as Police Chief from the Gretna Police Department and to recognize the efforts he has made in consistently finding ways to improve and serve the community at large through his many achievements.

**HOUSE CONCURRENT RESOLUTION NO. 154—**

BY REPRESENTATIVES SALTER AND GALLOT

**A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the legislature upon the death of John Sidney Garrett and to record for posterity the enduring appreciation of the citizens of Louisiana for the singular contributions and achievements of Mr. Garrett, particularly during his twenty-four-year tenure as a distinguished member of and four-year term as Speaker of the House of Representatives of the Legislature of Louisiana.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**House Concurrent Resolutions  
on First Reading**

The following House Concurrent Resolutions were read a first time by their titles and placed on the Calendar for their second reading:

**HOUSE CONCURRENT RESOLUTION NO. 1—**

BY REPRESENTATIVE FARRAR

**A CONCURRENT RESOLUTION**

To amend the Department of Health and Hospitals, office of public health, rules on installer/maintenance provider qualifications and to direct the Louisiana Register to print the amendments in the Louisiana Administrative Code.

The resolution was read by title; lies over under the rules.



**HOUSE CONCURRENT RESOLUTION NO. 79—**

BY REPRESENTATIVE BRUCE

**A CONCURRENT RESOLUTION**

To request the Louisiana Commission on Law Enforcement and Administration of Criminal Justice to study whether juvenile correctional officers should be included in the definition of a peace officer for purposes of the Peace Officers Standards and Training Law and to report its findings to the speaker of the House of Representatives and the president of the Senate no later than February 1, 2006, and to create the Juvenile Correctional Officers Task Force to assist in this study.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 82—**

BY REPRESENTATIVE GRAY

**A CONCURRENT RESOLUTION**

To request the House Committee on Health and Welfare and the Senate Committee on Health and Welfare to meet and function as a joint committee to study the current laws and regulations governing children in foster care in the state, to study the laws, regulations, and procedures which govern social workers charged with monitoring children in foster care, and to make recommendations for changes in the laws, rules, and procedures governing children in foster care in Louisiana.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 83—**

BY REPRESENTATIVE STRAIN

**A CONCURRENT RESOLUTION**

To direct the Louisiana State Board of Dentistry to formulate proposed legislation providing for a volunteer license, which would allow retired dentists to practice at nonprofit health care facilities for no remuneration.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 85—**

BY REPRESENTATIVES JACK SMITH AND ST. GERMAIN

**A CONCURRENT RESOLUTION**

To establish, in the Department of Wildlife and Fisheries, the Wild-Caught Crawfish Task Force and to provide for its membership and responsibilities.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 96—**

BY REPRESENTATIVES DOERGE AND WALKER

**A CONCURRENT RESOLUTION**

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BY REPRESENTATIVE BADON

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To request the Louisiana Board of Pharmacy to study the feasibility and effectiveness of implementing a prescription monitoring program for controlled dangerous substances and to report its findings to the speaker of the House of Representatives and the president of the Senate no later than February 1, 2006, and to create the Prescription Monitoring Program Task Force to assist in this study.

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**HOUSE CONCURRENT RESOLUTION NO. 100—**

BY REPRESENTATIVE BALDONE

**A CONCURRENT RESOLUTION**

To urge and request the Louisiana Waterfowl Study Commission to study the possibility of permitting the taking of pen-raised mallards south of Interstate Highway 10 and Interstate Highway 12.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 101—**

BY REPRESENTATIVES THOMPSON AND BALDONE

**A CONCURRENT RESOLUTION**

To authorize and request the Department of Wildlife and Fisheries to sponsor a pilot program to study the breeding and release of waterfowl in Louisiana.

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**HOUSE CONCURRENT RESOLUTION NO. 105—**

BY REPRESENTATIVE WINSTON

**A CONCURRENT RESOLUTION**

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BY REPRESENTATIVE CROWE

**A CONCURRENT RESOLUTION**

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**HOUSE CONCURRENT RESOLUTION NO. 121—**

BY REPRESENTATIVE FRITH

**A CONCURRENT RESOLUTION**

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The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 149—**

BY REPRESENTATIVE QUEZAIRE

**A CONCURRENT RESOLUTION**

To commend Ms. Elinor Craven upon the occasion of her retirement after twenty-nine years of service to the people of Louisiana in the Office of State Parks, Department of Culture, Recreation and Tourism.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 150—**

BY REPRESENTATIVE BURRELL

**A CONCURRENT RESOLUTION**

To commend Albert Jojuan "Joey" Belle, a native Louisianian and outstanding baseball player, on being inducted into the Louisiana Sports Hall of Fame.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 151—**

BY REPRESENTATIVE MORRELL

**A CONCURRENT RESOLUTION**

To urge and request the New Orleans City Council to establish and enforce a moratorium on the construction or establishment of new hotels and motels and on the expansion of existing hotels and motels in the Downtown Development District and in the French Quarter of New Orleans.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 152—**

BY REPRESENTATIVE MARCHAND

**A CONCURRENT RESOLUTION**

To commend and recognize Alpha Kappa Alpha Sorority, Incorporated as a gallant leader in anti-hazing efforts and to commend the organization for its vigorous position and concern for college and high school students affected by hazing.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 153—**

BY REPRESENTATIVE TOOMY AND SENATOR HEITMEIER

**A CONCURRENT RESOLUTION**

To commend B.H. Miller, Jr. upon his retirement as Police Chief from the Gretna Police Department and to recognize the efforts he has made in consistently finding ways to improve and serve the community at large through his many achievements.

The resolution was read by title; lies over under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 154—**

BY REPRESENTATIVES SALTER AND GALLOT

**A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the legislature upon the death of John Sidney Garrett and to record for posterity the enduring appreciation of the citizens of Louisiana for the singular contributions and achievements of Mr. Garrett, particularly during his twenty-four-year tenure as a distinguished member of and four-year term as Speaker of the House of Representatives of the Legislature of Louisiana.

The resolution was read by title; lies over under the rules.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**RETIREMENT**

Senator B. Gautreaux, Chairman on behalf of the Committee on Retirement, submitted the following report:

May 31, 2005

To the President and Members of the Senate:

I am directed by your Committee on Retirement to submit the following report:

**HOUSE BILL NO. 255—**

BY REPRESENTATIVE ANSARDI

**AN ACT**

To repeal Part VIII of Chapter 2 of Subtitle IV of Title 11 of the Louisiana Revised Statutes of 1950, comprised of R.S. 11:3251 through 3267, to repeal provisions relative to the Firemen's Pension and Relief Fund for the city of Kenner; to provide for disposition of monies remaining to the credit of the fund; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
D.A. "BUTCH" GAUTREAUX  
Chairman

**REPORT OF COMMITTEE ON  
ENVIRONMENTAL QUALITY**

Senator Fontenot, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

June 1, 2005

To the President and Members of the Senate:

I am directed by your Committee on Environmental Quality to submit the following report:

**HOUSE BILL NO. 848—**

BY REPRESENTATIVE HONEY

**AN ACT**

To amend and reenact R.S. 40:1142(F), relative to certification fees assessed operators of water supply and sewerage systems; to provide for fees for examinations and issuance and renewals of certificates; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
HEULETTE "CLO" FONTENOT  
Chairman

**REPORT OF COMMITTEE ON  
JUDICIARY A**

Senator Lentini, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

June 1, 2005

To the President and Members of the Senate:

I am directed by your Committee on Judiciary A to submit the following report:

**HOUSE BILL NO. 84—**

BY REPRESENTATIVE CAZAYOUX

**AN ACT**

To enact R.S. 46:2134(G), relative to domestic abuse assistance; to provide for the payment of costs; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 226—**

BY REPRESENTATIVE GALLOT

**AN ACT**

To amend and reenact Code of Civil Procedure Articles 592(A)(3)(b), 1917, 2031(A), and 2083, relative to civil procedure; to provide for the continuous revision of the Code of Civil Procedure as required by R.S. 24:251; to provide for written reasons for judgment and findings of fact in class action certifications and for appeal therefrom; to provide for the commencement of the time period in which to request the court to give findings of fact and written reasons for judgment in a nonjury trial; to provide for the interruption of prescription with the filing of a motion to revive a judgment; to provide for appeal of interlocutory judgments; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 260—**

BY REPRESENTATIVE HUNTER

AN ACT

To enact Code of Civil Procedure Article 2904, relative to testaments; to provide for the videotaping of the execution and reading of testaments; to provide for the admissibility of a videotape; to provide for the definition of "videotape"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 261—**

BY REPRESENTATIVE HUNTER

AN ACT

To enact Children's Code Article 1004(H), relative to termination of parental rights; to authorize termination by any interested person under certain circumstances; to provide for procedures; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 318—**

BY REPRESENTATIVE BADON

AN ACT

To amend and reenact Code of Civil Procedure Article 2293(B), relative to notice of seizure of property; to provide for giving additional notice of seizure to occupants and tenants; to provide relative to the validity of the sheriff's sale for failure to serve additional notices; to provide for an optional method of giving notice when the property consists of more than ten units; to provide for filing of an affidavit in the foreclosure proceeding records and the effect thereof; to provide for the inapplicability of additional notice provisions to certain property; to provide for the validity of foreclosure proceedings deemed not in compliance with Act No. 877 of the 2004 Regular Session; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 363—**

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To amend and reenact R.S. 35:191(N), relative to notaries public; to provide for reciprocal notarial authority in the parishes of Iberville, Ascension, East Baton Rouge, East Feliciana, Livingston, Point Coupee, West Baton Rouge, and West Feliciana; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 733—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 13:992.1(C)(1) and to enact R.S. 13:992.1(C)(6), relative to the dedication of judicial building funds of certain district courts; to provide relative to financing the construction of a new courthouse in the Nineteenth Judicial District; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 750—**

BY REPRESENTATIVE HUTTER

AN ACT

To enact Code of Civil Procedure Article 4921.1, relative to justice of the peace courts, to provide for the prosecution or defense of actions; to provide for scheduling matters for trial; to provide for abandonment; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
ARTHUR J. "ART" LENTINI  
Chairman

**REPORT OF COMMITTEE ON**

**REVENUE AND FISCAL AFFAIRS**

Senator Mount, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

May 31, 2005

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

**SENATE BILL NO. 32—**

BY SENATOR ADLEY

A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(B)(1)(a) of the Constitution of Louisiana, relative to ad valorem property tax exemption; to provide for an exemption for certain leases of certain hospitals; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably.

**SENATE BILL NO. 34—**

BY SENATOR MCPHERSON

AN ACT

To amend and reenact R.S. 47:6005, relative to income and franchise tax; to grant a tax credit for the purchase of certain equipment and/or service contracts related to recycling; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 89—**

BY SENATOR NEVERS

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(I) and (iii) and (2)(a) of the Constitution of Louisiana, relative to ad valorem property tax; to provide for a special assessment level for certain deaths, disabilities, and other hazards of the military; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably.

**SENATE BILL NO. 165—**

BY SENATOR HEITMEIER

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(G)(1)(a)(I) of the Constitution of Louisiana, relative to ad valorem property tax; to grant a special assessment level to certain disabled people; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

Respectfully submitted,  
WILLIE MOUNT  
Chairman

**REPORT OF COMMITTEE ON**

**HEALTH AND WELFARE**

Senator McPherson, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

June 1, 2005

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 28—**

BY REPRESENTATIVE TUCKER

**A CONCURRENT RESOLUTION**

To authorize and request a divided vote Medicare referendum option for state employees who are members of any state or statewide retirement system and who were hired before April 1, 1986.

Reported favorably.

**HOUSE BILL NO. 341—**

BY REPRESENTATIVES WINSTON, BURNS, DURAND, GRAY, E. GUILLORY, KATZ, McDONALD, AND WADDELL

**AN ACT**

To enact Chapter 9-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:1001 through 1002, relative to foster children; to provide vocational testing and counseling for children in foster care; to provide for the duties of the office of community services; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 445—**

BY REPRESENTATIVE WINSTON

**AN ACT**

To amend and reenact R.S. 46:52.1(C)(1)(introductory paragraph) and (2), relative to "No Wrong Door"; to provide for the implementation of an integrated case management model; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 528—**

BY REPRESENTATIVES DOERGE, ALARIO, DORSEY, HAMMETT, SALTER, AND BRUCE AND SENATORS BAJOE AND HINES

**AN ACT**

To enact R.S. 40:2006(E)(2)(m) through (u), and Part II-D, Part II-E, and Part II-F all of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2120.1 through 2120.7, R.S. 40:2120.11 through 2120.16, and R.S. 40:2120.21 through 2120.26, respectively and to repeal R.S. 28:420 through 427, R.S. 40:2006(A)(2)(p) and (B)(2)(h), R.S. 46:1971 through 1980, and R.S. 46:2682 through 2683 and 2685, relative to personal care attendant services, respite care services, supervised independent living services, adult day care services and family support services; to transfer authority to license such services from the Department of Social Services to the Department of Health and Hospitals; to provide for licensing fees for such services; to provide for definitions; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 538—**

BY REPRESENTATIVES MCVEA, BOWLER, ANSARDI, LABRUZZO, SCALISE, AND WINSTON

**AN ACT**

To enact R.S. 28:382.2 and to repeal R.S. 28:382.1, relative to the local governance of human services delivery; to provide a statewide human services and accountability framework for the system delivery of mental health, developmental disabilities, and addictive disorders services; to establish the Human Services Interagency Council; to provide for the planning, monitoring, and coordination of the statewide framework; to ensure accountability, policy setting, coordination, and monitoring of human services delivery at the state and local level; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JOE MCPHERSON

Chairman

**REPORT OF COMMITTEE ON**

**COMMERCE, CONSUMER PROTECTION AND INTERNATIONAL AFFAIRS**

Senator Michot, Chairman on behalf of the Committee on Commerce, Consumer Protection and International Affairs, submitted the following report:

June 1, 2005

To the President and Members of the Senate:

I am directed by your Committee on Commerce, Consumer Protection, and International Affairs to submit the following report:

**HOUSE BILL NO. 209—**

BY REPRESENTATIVE DAMICO

**AN ACT**

To amend and reenact R.S. 37:1432(A) and to enact R.S. 37:1455(A)(35), relative to the Louisiana Real Estate Commission; to provide for commission members; to add misleading advertising as a cause for censure, suspension, or revocation of license; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 446—**

BY REPRESENTATIVE TRAHAN

**AN ACT**

To enact R.S. 6:1094(B) and to repeal R.S. 6:1087(B)(10), relative to residential mortgage lending; to provide for licensure; to provide examination requirements; to establish licensure exemptions; to repeal the requirement of commissioner approval for persons engaging in no more than four residential mortgage lending transactions in a calendar year; to eliminate the licensure exemption for persons engaging in no more than four residential mortgage lending transactions in a calendar year; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 496—**

BY REPRESENTATIVES McDONALD, WALSWORTH, SCALISE, AND THOMPSON

**AN ACT**

To enact Chapter 27-C of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.51 through 9039.56, relative to the creation of the Northeast Louisiana Film Commission; to create the Northeast Louisiana Film Commission; to provide for the purposes, powers, duties, functions, and responsibilities of the commission; to provide for an executive director; to provide relative to employees, funding, and cooperation with state agencies; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 552—**

BY REPRESENTATIVE ST. GERMAIN

**AN ACT**

To enact Part IV-C of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1730.41 through 1730.48, and to repeal Part IV-B of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1730.21 through 1730.32, relative to the state fire marshal; to provide for the Commercial Building Energy Conservation Code; to provide for definitions; to provide for adoption of code; to provide for enforcement and rules; to provide for amendments and revisions to the code; to provide for fees; to

provide for training and technical assistance; to repeal existing provisions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 554—**

BY REPRESENTATIVE BAYLOR

AN ACT

To enact R.S. 37:575(B)(10), relative to the Board of Cosmetology; to provide for authority to contract with respect to immovable property; to provide for authority to borrow funds; to provide for authority to retain revenue upon sale of property; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 738—**

BY REPRESENTATIVES M. GUILLORY AND PINAC

AN ACT

To amend and reenact R.S. 9:3515(A)(1) and to enact R.S. 9:3516(38), relative to the Louisiana Consumer Credit Law; to provide for home protection plans; to provide for a definition; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 771—**

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 40:1484.2(8) and to enact R.S. 40:1484.9(E) and 1484.14, relative to air-supported structures; to provide for the definition of operator; to provide that certain provisions of law shall apply to operators of air-supported structures; to require operators of such structures to maintain minimum liability insurance or bond; to require that operators of air-supported structures report such purchases to the assistant secretary; to provide that the assistant secretary maintain a record of reported purchases; to provide penalties for an operator's failure to report; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
MICHAEL J. MICHOT  
Chairman

**REPORT OF COMMITTEE ON**

**JUDICIARY B**

Senator Marionneaux, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

June 1, 2005

To the President and Members of the Senate:

I am directed by your Committee on Judiciary B to submit the following report:

**HOUSE BILL NO. 194—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 33:1423.1, relative to the collection and disposition of bonds, fines, fees, licenses, and taxes; to provide that the sheriff may retain private attorney and assess attorney fees and expenses to affected tax recipient bodies; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 351—**

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 26:90(A)(1)(b) and 286(A)(1)(b), relative to identification to be accepted to sell alcoholic beverages upon a licensed premise; to delete provisions requiring that if a duplicate driver's license is submitted, additional information must be provided; to provide that a duplicate driver's license shall be considered as lawful identification; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
ROBERT MARIONNEAUX, JR.  
Chairman

**Senator Fields in the Chair**

**Reconsideration**

On motion of Senator Cravins, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, May 31, 2005, was reconsidered.

**SENATE BILL NO. 77—**

BY SENATORS CRAVINS AND CAIN

AN ACT

To amend and reenact R.S. 22:253(A), relative to funeral policies and burial insurance; to require each policy to specify dollar values and specific benefits to be furnished; and to provide for related matters.

On motion of Senator Cravins, the bill was read by title and returned to the Calendar, subject to call.

**Rules Suspended**

Senator Hines asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**Introduction of Resolutions,  
Senate and Concurrent**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

**SENATE RESOLUTION NO. 107—**

BY SENATORS HINES, ADLEY, AMEDEE, BAJOE, BARHAM, BOASSO, BROOME, CAIN, CHAISSON, CHEEK, CRAVINS, DARDENNE, DUPLESSIS, DUPRE, ELLINGTON, FIELDS, FONTENOT, B. GAUTREAUX, N. GAUTREAUX, HEITMEIER, HOLLIS, JACKSON, JONES, KOSTELKA, LENTINI, MALONE, MARIONNEAUX, MCPHERSON, MICHOT, MOUNT, MURRAY, NEVERS, ROMERO, SCHEDLER, SMITH, THEUNISSEN AND ULLO

**A RESOLUTION**

To designate the first Wednesday in June as the annual "Former State Senator Recognition Day."

On motion of Senator Hines, the resolution was read by title and adopted.

**SENATE RESOLUTION NO. 108—**

BY SENATOR FIELDS

**A RESOLUTION**

To urge and request full compliance with equal employment opportunity laws.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Labor and Industrial Relations.

### SENATE CONCURRENT RESOLUTION NO. 81— BY SENATOR JONES

#### A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs to meet jointly to examine issues related to the investment in and establishment of low-income housing and to determine and report on legislative initiatives that would enhance and improve the climate for investment in low-income housing, including providing for alternate assessment of such housing as it relates to taxation and including authorizing the establishment of crime prevention districts in areas in which low-income housing is established.

On motion of Senator Bajoie, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

### Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

### SENATE BILL NO. 354— (Substitute of Senate Bill No. 314 by Senator Marionneaux)

BY SENATOR MARIONNEAUX

#### AN ACT

To enact Part XLII-A of Chapter 5 of Title 40 of the Louisiana Revised Statute of 1950, to be comprised of R.S. 40:1300.30, relative to the preservation and improvement of the health, comfort, and environment of the people of the state by limiting exposure to tobacco smoke; to create the Louisiana Clean Indoor Air Act; to provide relative to purposes, definitions, restrictions, exceptions and penalties; to provide for an effective date; and to provide for related matters.

### Motion

On motion of Senator Marionneaux, Senate Bill No. 354 was made Special Order of the Day No. 1 on Monday, June 6, 2005, immediately following the Morning Hour.

### Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 2, was taken up and acted upon as follows:

### SENATE BILL NO. 228—

BY SENATOR HINES AND REPRESENTATIVE SALTER

#### AN ACT

To enact R.S. 39:94(C)(4), relative to the Budget Stabilization Fund; to provide for the balance in the Budget Stabilization Fund; to define total state revenue receipts for purposes of determining the balance in the fund; to provide for an effective date; and to provide for related matters.

On motion of Senator Hines, the bill was read by title and returned to the Calendar, subject to call.

### Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 3, was taken up and acted upon as follows:

### SENATE BILL NO. 146—

BY SENATORS BAJOE AND MCPHERSON

#### AN ACT

To enact R.S. 17:197.1, relative to school nutrition; to provide for legislative finding; to limit the sale of certain beverages and foods at schools during specified portions of the day; to require

certain decisions be made by school principals; and to provide for related matters.

### Motion

On motion of Senator Bajoie, Senate Bill No. 146 was made Special Order of the Day No. 1 on Tuesday, June 7, 2005, immediately following the Morning Hour.

### Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

### Introduction of Resolutions, Senate and Concurrent

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions, Senate and Concurrent, a first and second time and acting upon them as follows:

### SENATE RESOLUTION NO. 109—

BY SENATOR MARIONNEAUX

#### A RESOLUTION

To express the sincere and heartfelt condolences of the Senate of the Legislature of Louisiana to the family of United States Marine Corps Corporal Richard P. Schoener upon his death in Operation Enduring Freedom.

The resolution was read by title; lies over under the rules.

### SENATE CONCURRENT RESOLUTION NO. 82—

BY SENATOR HEITMEIER AND REPRESENTATIVE TOOMY

#### A CONCURRENT RESOLUTION

To commend B. H. Miller, Jr. upon his retirement as Police Chief from the Gretna Police Department and to recognize the efforts he has made in consistently finding ways to improve and serve the community at large through his many achievements.

The resolution was read by title. Senator Heitmeier moved to adopt the Senate Concurrent Resolution.

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	Duplessis	Malone
Adley	Dupre	Marionneaux
Amedee	Ellington	McPherson
Bajoie	Fields	Michot
Barham	Fontenot	Mount
Boasso	Gautreaux B	Murray
Broome	Gautreaux N	Nevers
Cain	Heitmeier	Romero
Chaisson	Jackson	Schedler
Cheek	Jones	Smith
Cravins	Kostelka	Theunissen
Dardenne	Lentini	Ullo
Total - 36		

#### NAYS

Total - 0

#### ABSENT

Hollis  
Total - 1

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

June 1, 2005

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**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON****INSURANCE**

Senator Cain, Chairman on behalf of the Committee on Insurance, submitted the following report:

June 1, 2005

To the President and Members of the Senate:

I am directed by your Committee on Insurance to submit the following report:

**HOUSE BILL NO. 700—**

BY REPRESENTATIVE TUCKER

**AN ACT**

To amend and reenact R.S. 22:1800(5), relative to vehicle mechanical breakdown insurance; to provide for coverage; to provide for customer assistance and services; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 779—**

BY REPRESENTATIVES MCVEA AND MCDONALD

**AN ACT**

To enact R.S. 32:867, relative to compulsory motor vehicle liability insurance; to provide for applicability; to provide for privately owned parking lots; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
JAMES DAVID CAIN  
Chairman

**Privilege Report of the Committee on  
Senate and Governmental Affairs****ENROLLMENTS**

Senator Jones, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

June 1, 2005

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Bill has been properly enrolled:

**SENATE BILL NO. 343— (Duplicate of House Bill No. 837)**

BY SENATOR FONTENOT AND REPRESENTATIVE KENNARD AND  
COAUTHORED BY SENATOR MARIONNEAUX

**AN ACT**

To enact Part IX of Chapter 6 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3071 through 3075, relative to government within East Baton Rouge Parish; to provide for the continued collection of tax revenue to fund essential public services within the city of Central; to authorize the parish to continue collection of a previously approved two percent sales and use tax and to continue providing essential public services within the corporate limits of the city of Central pursuant to intergovernmental agreement; to create a Central Transition District as a taxing district to provide monies for

essential public services within the municipality; to provide for the board of directors of the district; to provide for the duties, powers, and responsibilities of the district; to authorize the district to levy and collect a sales and use tax not to exceed two percent; to provide time limits for the continuation of such taxes; to authorize contracts, intergovernmental agreements, and cooperative endeavors; and to provide for related matters.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

The foregoing Senate Bill was signed by the President of the Senate.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Hollis                      1 Day

**Adjournment**

Senator Heitmeier moved that the Senate adjourn until Thursday, June 2, 2005, at 9:30 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:30 o'clock A.M. on Thursday, June 2, 2005.

GLENN A. KOEPP  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk